



General Assembly

Distr.: Limited
1 September 2021

Original: English

**Committee on the Peaceful
Uses of Outer Space**
Sixty-fourth session
Vienna, 25 August–3 September 2021

Draft report

Addendum

Annex III

**Proposal on the mandate, terms of reference,
and workplan and methods of work for the
working group established under the Legal
Subcommittee agenda item entitled “General
exchange of views on potential legal models
for activities in the exploration, exploitation
and utilization of space resources”**

I. Introduction and background

1. At its sixtieth session, the Legal Subcommittee requested the Chair and Vice-Chair of the working group under the agenda item on the general exchange of views on potential legal models for activities in the exploration, exploitation and utilization of space resources to continue consultations, in the intersessional period, on the mandate, terms of reference, and workplan and method of work of the working group and recommended that the Committee consider the matter further at its sixty-fourth session ([A/AC.105/1243](#), para. 257).

2. At the sixty-fourth session, the working group held four formal and informal meetings, the results of which are set out in section II below.

II. Proposed draft mandate, terms of reference and methods of work of the working group under a five- year workplan



A. Mandate

3. The working group shall:

(a) Collect relevant information concerning activities in the exploration, exploitation and utilization of space resources, including with respect to scientific and technological developments and current practices, taking into account their innovative and evolving nature;

(b) Study the existing legal framework for such activities, in particular the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, and other applicable United Nations treaties, also taking into account other relevant instruments, as appropriate;

(c) Assess the benefits of further development of a framework for such activities, including by way of additional international governance instruments;

(d) Develop a set of initial recommended principles for such activities, taking into account the need to ensure that they are carried out in accordance with international law and in a safe, sustainable, rational and peaceful manner, for the consideration of and consensus agreement by the Committee, followed by possible adoption by the General Assembly as a dedicated resolution or other action;

(e) Identify areas for further work of the Committee and recommend next steps, which may include the development of potential rules and/or norms, for activities in the exploration, exploitation and utilization of space resources, including with respect to related activities and benefit sharing.

B. Terms of reference

4. The terms of reference are as follows:

(a) The working group reports to the Legal Subcommittee of the Committee;

(b) The working group and its meetings shall be guided by the rules of procedure, methods of work and established practices of the Committee, including with respect to contributions by permanent observers and non-governmental stakeholders. The working group may decide to hold intersessional meetings in exceptional circumstances, as appropriate;

(c) The working group will be led by a Chair and a Vice-Chair and shall be supported by the Secretariat;

(d) The working group shall be open to all States members of the Committee, and participation of developing and emerging spacefaring countries shall be encouraged;

(e) The working group shall consider submissions from States members of the Committee on the issues related to and arising from its mandate, while also taking into account, as appropriate, those inputs provided in accordance with established practice of

the Committee to the working group by permanent observers and all other stakeholders and which the Chair and Vice-Chair, in consultation with the working group, regard as relevant to the work of the working group;

(f) The working group may avail itself of work on the issue of activities in the exploration, exploitation and utilization of space resources, including but not limited to study reports, academic research and papers submitted by any means as may be determined by the working group, which may include through one or more dedicated international conferences convened under the auspices of the United Nations, and open to Governments, invited academic and other stakeholders, subject to the availability of budgetary resources.

C. Workplan and methods of work

5. The workplan and methods of work shall take into account the following, inter alia:

(a) On the basis of the agreed mandate and terms of reference, the working group shall, in 2022, agree on its detailed workplan and methods of work. This shall include appropriate means of coordination with the Scientific and Technical Subcommittee;

(b) The foregoing shall not prevent the working group from undertaking initial administrative, information collection and stocktaking tasks as provided for in its mandate;

(c) The working group shall in its work avail itself of electronic means of communication whenever practicable and/or necessary.
